## **IN THE CLAIMS:**

- 1 (Original) A network device to identify a non-adaptive flow, comprising:
- a processor executing first instructions to drop packets on a random basis using a
- 3 RED algorithm;
- a classifier to read indicia of a selected flow from at least one field of a header of
- a packet received by said device;
- a processor executing second instructions to calculate a drop interval for packets
- of said selected flow dropped by said RED algorithm, in response to a time at which said
- 8 packets were dropped; and,
- a processor executing third instructions to apply a statistical test to drop intervals
- of a plurality of flows in order to identify said non-adaptive flow.
- 2. (Original) The apparatus of claim 1 wherein said processor executing said second in-
- structions to calculate a drop interval for packets of said selected flow dropped by said
- 3 RED algorithm further comprise:
- said processor executing said second instructions to calculate said drop interval by
- subtracting from a first time at which the most recently received packet was
- dropped, a second time at which an earlier dropped packet was dropped.

- 3. (Original) The apparatus of claim 1 wherein said processor executing third instruc-
- tions to apply a statistical test, further comprises:
- a processor executing fourth instructions to calculate a median drop interval for
- said selected flow, said median drop interval having one half of the drop intervals larger
- than said median and having one half of the drop intervals less than said median; and,
- a processor executing fifth instructions to compute a statistical difference by sub-
- tracting 0.693 times said average drop interval from said median drop interval, and in the
- event that said statistical difference exceeds a selected threshold, identifying said selected
- 9 flow as a non-adaptive flow.

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- 4. (Original) The apparatus as in claim 3 further comprising:
- a processor executing sixth instructions to compute a "departure from exponential
- mean" (DEM) value, said DEM value computed by subtracting from said 0.693 times
- said average drop interval, said median drop interval; and,
- a processor executing seventh instructions to compare said DEM value with the
- number 0.5, and in the event that the DEM value is within a preselected range of 0.5, to
- identify said flow as non-adaptive.
- 5. (Original) The apparatus as in claim 4 wherein said preselected range is between 0.45
- and any number larger than 0.5.

- 6. (Original) The apparatus as in claim 4 further comprising:
- a processor executing eighth instructions to select said preselected range dynami-
- 3 cally in response to DEM values of selected flows.
- 7. (Original) The apparatus as in claim 6 further comprising:
- a processor executing ninth instructions to select said selected flows as a subset of
- all flows, said subset having selected values of DEM less than a largest value of DEM
- 4 computed in a set of flows.
- 8. (Original) The apparatus as in claim 1 wherein said network device is a router.
- 9. (Original) The apparatus as in claim 1 wherein said network device is a switch.
- 10. (Original) A method of operating a network device, comprising:
- dropping packets on a random basis using a RED algorithm;
- reading indicia of a selected flow from at least one field of a header of a packet
- 4 received by said device;
- calculating a drop interval for packets of said selected flow dropped by said RED
- algorithm, in response to a time at which said packets were dropped; and,
- applying a statistical test to drop intervals of a plurality of flows in order to iden-
- 8 tify said non-adaptive flow.

- 1 11. (Original) The method of claim 10 further comprising:
- 2 calculating said drop interval by subtracting from a first time at which the most
- recently received packet was dropped, a second time at which an earlier dropped packet
- 4 was dropped.
- 1 12. (Original) The method of claim 10 further comprising:
- calculating a median drop interval for said selected flow, said median drop inter-
- val having one half of the drop intervals larger than said median and having one half of
- 4 the drop intervals less than said median; and,
- computing a statistical difference by subtracting 0.693 times said average drop
- interval from said median drop interval, and in the event that said statistical difference
- 7 exceeds a selected threshold, identifying said selected flow as a non-adaptive flow.
- 1 13. (Original) The method of claim 10 further comprising:
- computing a "departure from exponential mean" (DEM) value, said DEM value
- computed by subtracting from said 0.693 times said average drop interval, said median
- 4 drop interval; and,
- 5 comparing said DEM value with the number 0.5, and in the event that the DEM
- value is within a preselected range of 0.5, to identify said flow as non-adaptive.

- 1 14. (Original) The method of claim 10 further comprising:
- selecting said preselected range between 0.45 and any number larger than 0.5.
- 1 15. (Original) The method as in claim 13 further comprising:
- selecting said preselected range dynamically in response to DEM values of se-
- 3 lected flows.
- 1 16. (Original) The apparatus as in claim 14 further comprising:
- selecting said selected flows as a subset of all flows, said subset having selected
- values of DEM less than a largest value of DEM computed in a set of flows.
- 17. (Original) The method of claim 10 further comprising: executing said method in a
- 2 router.
- 18. (Original) The method of claim 10 further comprising: executing said method in a
- 2 switch.
- 19. (Original) A computer readable media having written thereon instructions for prac-
- ticing the method of claim 10.
  - 20. (Original) Signals transmitted over a computer network having encoded therein instructions for practicing the method of claim 10.